

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MYSERVICE FORCE, INC.	:	CIVIL ACTION
	:	
v.	:	
	:	
AMERICAN HOME SHIELD and	:	
SERVICEMASTER CONSUMER	:	
SERVICES LIMITED	:	
PARTNERSHIP	:	NO. 10-6793

ORDER

AND NOW, this 17th day of January 2013, upon consideration of Defendants' Motion for Summary Judgment (Docket No. 61) and all documents filed in connection thereto, **IT IS HEREBY ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part as follows:

1. Defendants' Motion for Summary Judgment is **DENIED** as to myServiceForce Inc.'s claim, in Count I of the Complaint, that American Home Shield ("AHS") breached its duty of good faith and fair dealing with respect to its obligations under the parties' Memorandum of Agreement, to imposing status reporting requirements on its contractors.

2. Defendants' Motion for Summary Judgment is **GRANTED** as to the remaining breach of contract claims asserted in Count I of the Complaint and **JUDGMENT** is **ENTERED** in AHS's favor on those claims.

3. Defendants' Motion for Summary Judgment is **GRANTED** as to Counts II-IV of the Complaint. **JUDGMENT** is entered in AHS's favor on Count II. **JUDGMENT** is **ENTERED** in favor of ServiceMaster Consumer Services Limited Partnership's ("SVM") favor on Counts III-IV.

4. SVM is **DISMISSED** as a Defendant in this action.

BY THE COURT:

/s/ John R. Padova

John R. Padova, J.